

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Attorney Docket No. 107.823.166)

In re Application of:

LEVEUGLE et al.

Serial No. 09/332,866

Filed: June 15, 1999

For: THERAPEUTIC COMPOSITION AND
METHOD FOR TREATMENT OF
PROSTATE CANCER

) Examiner: Davis M.

) Art Unit: 1642

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CERTIFICATE OF FIRST CLASS MAILING UNDER 37 CFR §1.8(a)
I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail by Facsimile to: Assistant Commissioner for Patents, Washington, DC 20231 on the date indicated below.

April 10, 2000
Date of Signature and of Facsimile Transmittance

Donna Puleo
Donna Puleo

Assistant Commissioner for Patents
Washington, D.C. 20231

SUPPLEMENTAL RESPONSE TO THE OFFICE ACTION MAILED NOV. 8, 1999

Dear Sir:

In Applicants' communication filed by first class mailing on April 10, 2000 responsive to the Office Action mailed November 8, 1999 in connection with the above-referenced application ("Application"), Applicants erroneously stated under the remarks section that claims 2, 12-21, 24-25, and 27 had been canceled. In fact, Applicants have elected Group II, which includes claims 2, 12-21, 24-25, and 27, and have canceled, without prejudice, the claims of Group I, which includes claims 1, 3-11, 22, 23, and 26.

In addition, Applicants neglected to include with the communication filed by first class mailing on April 10, 2000 a copy of the Notice to Comply with the Sequence Listing Requirement. Applicants are providing a copy of this notice herewith. Applicants note that the


Supplemental Response to Restriction Requirement
U.S.S.N. 09/332,866

Sequence Listing (in paper and computer-readable form) is included with the communication filed by first class mailing on April 10, 2000.

Applicants regret any confusion that may have been created. If the Examiner believes that any further discussion of this communication would be helpful, she is encouraged to contact the undersigned by telephone.

As a petition for a four month extension of time was included with the communication filed by first class mailing on April 10, 2000, no additional fees are believed to be due in connection with this communication. However, please apply any additional charges, or credit any overpayment, to our Deposit Account No. 08-0219.

Respectfully submitted,
HALE AND DORR LLP



Nancy Chiu, Ph.D.
Reg. No. 43,545
Agent for Applicants

Dated: April 10, 2000

Hale and Dorr LLP
60 State Street
Boston, MA 02109
Tel: (617) 526-6000
Fax: (617) 526-5000

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**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 CFR 1.821 - 1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29 May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☒ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c).
- ☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
- ☐ 7.

Other: _____

Applicant must provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing"
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d)

For questions regarding compliance with these requirements, please contact:

For Rules Interpretation, call (703) 308-1123
For CRF submission help, call (703) 308-4212
For PatentIn software help, call (703) 557-0400

Please return a copy of this notice with your response.

HALE AND DORR LLP
COUNSELLORS AT LAW

60 STATE STREET, BOSTON, MASSACHUSETTS 02109
617-526-6000 • FAX 617-526-5000

Total Number of Pages: 4

April 10, 2000

To:

Examiner M. Davis

United States Patent & Trademark Office

Phone: 703-305-2008

Fax: 703-308-4426

From:

Nancy Chiu, Ph.D.

Phone: 617-526-6048

Fax: 617-526-5000

Please deliver promptly to the Examiner! Thank you.

This facsimile transmission is confidential and may be privileged. If you are not the intended recipient, please immediately call the sender or, if the sender is not available, call (617) 526-5413, and destroy all copies of this transmission. If the transmission is incomplete or illegible, please call the sender or, if the sender is not available, call (617) 526-5413. Thank you.

Client Matter Number: 107823.166

Transmitted by: _____